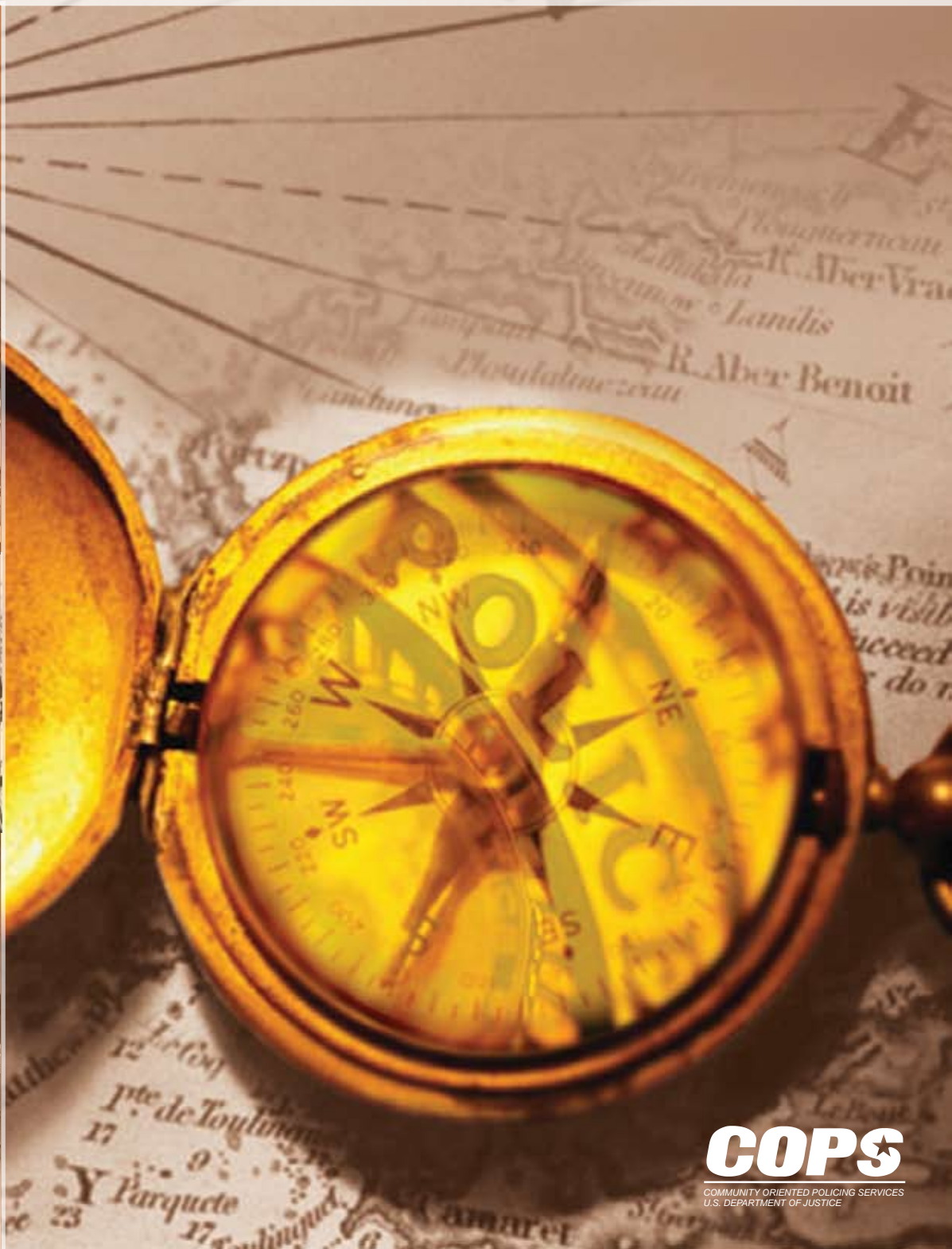




# Police Labor-Management Relations (Vol. D): Perspectives and Practical Solutions for Implementing Change, Making Reforms, and Handling Crises for Managers and Union Leaders





# **Police Labor-Management Relations (Vol. I): Perspectives and Practical Solutions for Implementing Change, Making Reforms, and Handling Crises for Managers and Union Leaders**

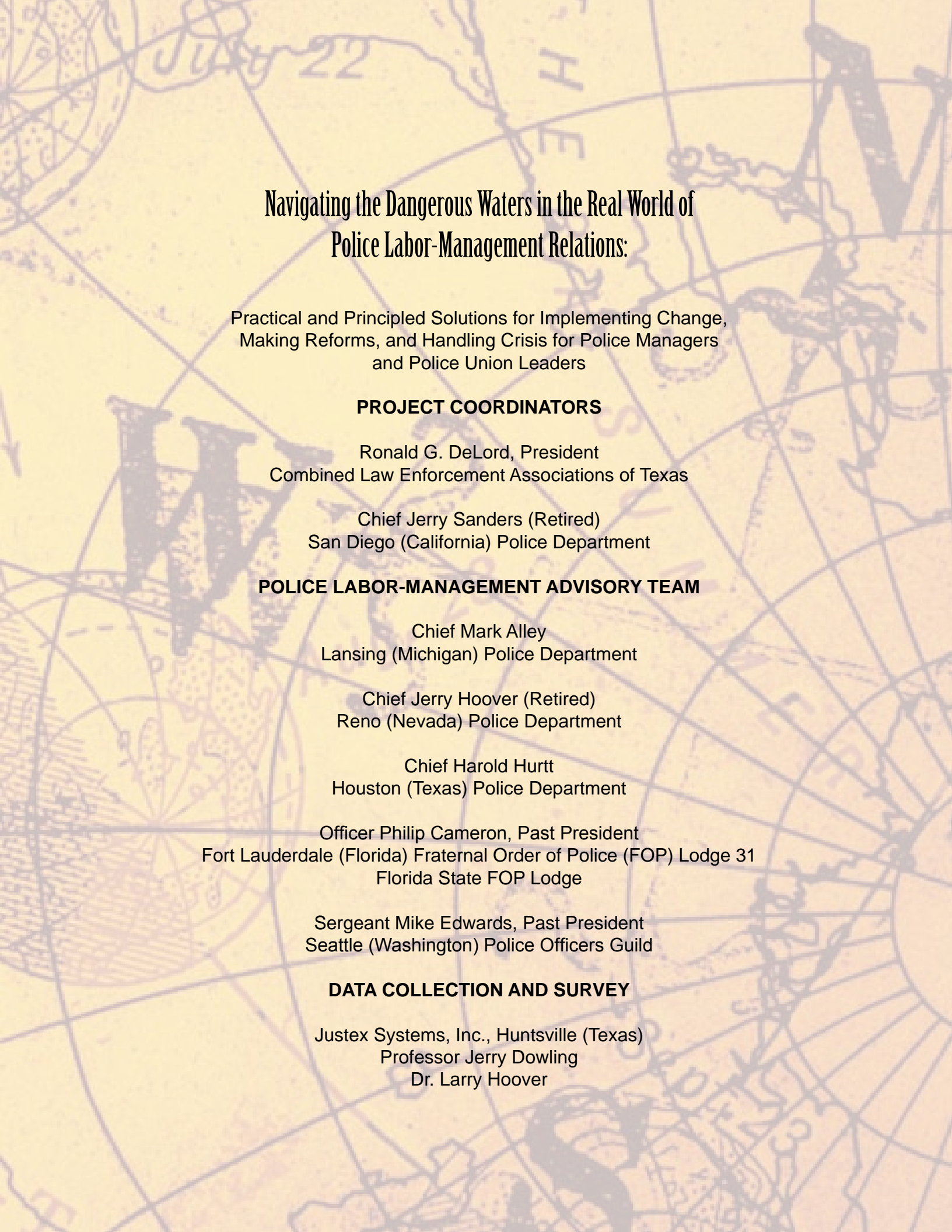
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# Navigating the Dangerous Waters in the Real World of Police Labor-Management Relations:

Practical and Principled Solutions for Implementing Change,  
Making Reforms, and Handling Crisis for Police Managers  
and Police Union Leaders

## **PROJECT COORDINATORS**

Ronald G. DeLord, President  
Combined Law Enforcement Associations of Texas

Chief Jerry Sanders (Retired)  
San Diego (California) Police Department

## **POLICE LABOR-MANAGEMENT ADVISORY TEAM**

Chief Mark Alley  
Lansing (Michigan) Police Department

Chief Jerry Hoover (Retired)  
Reno (Nevada) Police Department

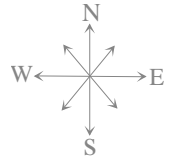
Chief Harold Hurtt  
Houston (Texas) Police Department

Officer Philip Cameron, Past President  
Fort Lauderdale (Florida) Fraternal Order of Police (FOP) Lodge 31  
Florida State FOP Lodge

Sergeant Mike Edwards, Past President  
Seattle (Washington) Police Officers Guild

## **DATA COLLECTION AND SURVEY**

Justex Systems, Inc., Huntsville (Texas)  
Professor Jerry Dowling  
Dr. Larry Hoover



## Acknowledgements

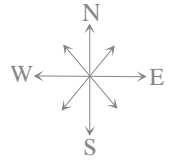
This complicated project designed to unravel the world of police labor-management relations and other practical and principled solutions could not have been achieved without the concept first being conceived by some far-sighted individuals who have to navigate in that world.

The project coordinators wish to thank the United States Department of Justice Office of Community Oriented Policing Services (the COPS Office) for its assistance in completing this project. Robert Chapman and former COPS Office employee Veh Bezdikan were the catalysts for the project. Their guidance and hands-on participation were invaluable.

Larry Hoover, Jerry Dowling, and Gene Blair of Justex Systems, Huntsville, Texas, devoted their time to the project. They have a lifetime of actual police experience and academic observations on the police labor-management situation in the United States. Their scientific survey is the first nationwide review of how police managers and police union leaders think about issues of mutual concern. Their assistance, advice, and counseling in editing the book were above and beyond the call of duty.

Media & Political Strategies, Inc., is a small firm in Liberty Hill, Texas, specializing in the production of magazines and newsletters for law enforcement unions and other professional associations. The firm also consults in political campaigns and produces direct mail and television and radio commercials. A writer, publisher, and editor, co-owner Shelly Wilkison greatly assisted in organizing the initial materials into a readable format.

No book can be written without the assistance of many friends, colleagues, and volunteers who devote their time to improving the publication. A special thanks to Dr. Michael Polzin, School of Labor and Industrial Relations, Michigan State University; and Dr. Jenny Fleming, Fellow, Research, School of Social Sciences, The Australian National University, Canberra, ACT, Australia.



## About the Authors

### PROJECT COORDINATORS

#### Ronald G. DeLord

Ron DeLord was a patrol officer for the Beaumont (Texas) Police Department from 1969 to 1972. He served as a patrol officer and detective for the Mesquite (Texas) Police Department from 1972 to 1977. In 1977, DeLord was one of the founders of the Combined Law Enforcement Associations of Texas (CLEAT) and was elected its first president. Currently, he is serving his 10th 3-year elected term. CLEAT is the state's largest police union, with more than 15,000 rank-and-file members.

DeLord is a coauthor of *Police Power, Politics and Confrontation: A Guide for the Successful Police Labor Leader* (Charles C. Thomas, Publishers); coauthor of "Unionization" in *The Encyclopedia of Police Science* (Garland Publishing); editor-in-chief of *The Ultimate Sacrifice: The Trials and Triumphs of the Texas Peace Officer* (Wadsworth Publishing); and he is a frequent columnist for *American Police Beat* newspaper with a monthly circulation of 100,000. DeLord is the author of a paper entitled "American Policing at a Crossroads: Are Police Unions Taking on the Challenge or Impeding Change?" that was presented to the International Police Executive Symposium in Prague, Czech Republic, in 2005.

He is a principal partner in the Police and Fire Labor Institute that has conducted labor-training programs for police and fire labor leaders from the United States, Canada, Australia, and New Zealand. He is a frequent lecturer on police labor relations at seminars, universities, and training programs. He is also the co-program director for the Police Union Executive Leadership Program sponsored by the School of Labor and Industrial Relations at Michigan State University, East Lansing, Michigan.

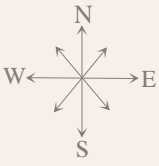
DeLord graduated from the 10-week Harvard University Trade Union Program in Cambridge, Massachusetts, in 1992. He has a bachelor of science degree in government from Lamar University in Beaumont, Texas; a master of arts degree in police science and police administration from Sam Houston State University in Huntsville, Texas; and a doctorate of jurisprudence degree from South Texas College of Law in Houston, Texas. He has been a licensed attorney in Texas since 1987.

#### Jerry Sanders

Jerry Sanders retired from the San Diego Police Department in April 1999 after serving as the chief of police for 6 years. A 26-year veteran of the 3,000-member department, his assignments included SWAT commander, police academy director and commanding officer of two area commands. Promoted to commander in 1990, he joined senior management, and as a commander and assistant chief, he commanded Internal Affairs, Budget and Management, and the diversity effort.

Under his leadership, the department moved into a community policing model with three main strategies: problem solving, community engagement, and creating a 1,100-member citizen volunteer effort to work with officers in virtually every segment of the department. Police Officer Association involvement was a part of each strategy as were reorganizing the department and redefining roles and responsibilities for each of the department's ranks and work areas. During this period, partnership between the community and the police department helped reduce crime by of nearly 50 percent.





Sanders was a member of the board of directors of the Police Executive Research Forum, a member of Major Cities Police Chiefs Association, and the FBI's National Executive Institute. He retired to become president and CEO of the United Way of San Diego County. He has since resigned from United Way to take a position in the private sector. He serves on numerous nonprofit boards throughout the San Diego area.

## POLICE MANAGEMENT ADVISORY TEAM

### Mark E. Alley

Mark Alley started his law enforcement career as a deputy sheriff with the St. Clair County Sheriff's Department in Port Huron, Michigan. He joined the 378-member Lansing Police Department in 1986, was promoted to sergeant in 1991, lieutenant in 1995, captain in January 1998, and chief of police in June 2000. Chief Alley has worked in Patrol, Criminal Investigation, Special Operations, and as a supervisor throughout the department.

Chief Alley is the author of "Community Evaluates Neighborhood Watch," *Community Policing Exchange*, 14, 4 (1997); "Volunteers 'CUTT' Down Truancy," *Community Policing Exchange*, 24, 4 (1999); and coauthor of the chapter, "Mid-Level Leaders in Community Police Organizations," published in *The Move to Community Policing* (2001).

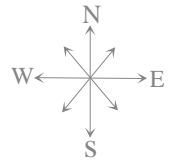
Chief Alley has a bachelor of science degree in criminal justice from Ferris State University and a master of science degree in criminal justice from Michigan State University. Since 1996, he has been an adjunct professor at Michigan State University teaching various courses in criminal justice and community policing.

### Jerry L. Hoover

Jerry Hoover started his law enforcement career in 1968 as a patrol officer with the 1,800-member San Diego Police Department. He was promoted to detective in 1972 and to sergeant in 1974. In 1979, he became a lieutenant with the 210-member Boulder Police Department in Colorado, and in 1991 was appointed a commander. In 1994, Hoover was appointed as chief of police for the 148-member St. Joseph Police Department in Missouri. In 1997, he was appointed chief of police of the 519-member Reno Police Department in Nevada. In June 2004 Chief Hoover retired and accepted a position with a private consulting firm.

Chief Hoover is the author of "A New Generation of Field Training: The Reno PTO Model," in *Solving Crime and Disorder Problems* (2001); Melissa Reuland, Corina Sole Brito, and Lisa Carroll, eds., *Police Executive Research Forum*, Washington, D.C.; *Problem-Based Learning Manual for Training and Evaluating Police Trainees* (2001), Police Executive Research Forum, Washington, D.C.; "Introduction" to *Policing America: methods, issues, challenges* (1999), Kenneth J. Peak, Prentice Hall, New Jersey; "The Cop Shop," a regular column of the *St. Joseph Telegraph* newspaper (1996-1997); and "Standardized Evaluation Guidelines for Community Policing," published in *NAFTCO Newsletter* (July, 1996).

Chief Hoover graduated from the FBI National Academy's Law Enforcement Executive Development Seminar (LEEDS) in 1997. He has a bachelor of arts degree in anthropology from San Diego State University; a master of arts degree in anthropology from Colorado State University; and a master of public administration from the John F. Kennedy School of Government at Harvard University. He has completed all the course work for a doctorate degree in anthropology from the University of Colorado.



Chief Hoover is a national consultant to police agencies throughout the United States in police training, critical incident, management, diversity issues, and destructive religious cults. He is a presenter at national conferences on topics of community/problem-oriented policing and leadership. Chief Hoover is an adjunct professor at the University of Nevada. He has more than 5,000 hours of classroom teaching experience.

### Harold L. Hurtt

Harold Hurtt joined the Phoenix (Arizona) Police Department in 1968. He was promoted to sergeant in 1975; lieutenant in 1978; captain in 1980; major in 1985; and assistant chief in 1987. In 1992, he was appointed as chief of police for the Oxnard (California) Police Department in California and in 1998, he was appointed chief of police of the 3,700-member Phoenix Police Department. Chief Hurtt has served in virtually every capacity in a police department including Patrol, Field Training Officer, Community Relations, Field Operations, Special Operations, and as an executive assistant chief of management services. In February 2004 Chief Hurtt accepted the position of chief of the Houston (Texas) Police Department.

Chief Hurtt graduated from the FBI National Academy; the LEEDS Academy; the FBI National Executive Institute Development Seminar; Arizona State University Executive Development Institute; and the Senior Management Institute for Police by the Police Executive Research Forum. He has a bachelor of science degree in sociology from Arizona State University and a master's degree in organizational management from the University of Phoenix.

Chief Hurtt serves on many boards and commissions, including the following organizations: Arizona Peace Officer Standards and Training Board, Rio Salado College President's Advisory Council, Law Enforcement Coordinating Committee, The National Conference of Community and Justice, Arizona Auto Theft Authority, Arizona HIDTA, National Organization of Black Law Enforcement Executives, and Major City Chiefs Association. Chief Hurtt was selected in 2001 as a member of the Justice Department Team (Kroll Associates) to monitor the Los Angeles Police Department consent decree.

## POLICE UNION ADVISORY TEAM

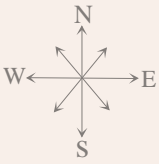
### Philip D. Cameron

Philip Cameron served as a part-time Sebring, Ohio police officer from 1965 to 1968, and as a police officer in Alliance, Ohio, from 1968 to 1970. He joined the Fort Lauderdale (Florida) Police Department in 1970, and retired in 2000 after 30 years of service.

He was elected vice president of the 736-member Fort Lauderdale Fraternal Order of Police (FOP) Lodge 31 in 1986 and was elected president of the lodge in 1989. Cameron served as lodge president until 2001.

Since 1984, he has negotiated every collective bargaining agreement between the city and the lodge, and provided legal representation for the members. He was elected vice president of the 21,000-member Florida State FOP in 1992, and was elected state president in 1996, serving until 2005. Cameron also serves as the administrative benefits manager of the \$3.2 million Lodge 31 Health and Dental Trust.

He has an associate degree in criminal justice from Broward Community College; a bachelor of science degree in criminal justice from Hamilton University; and a master of science degree in public administration from Hamilton University. Cameron is a frequent guest lecturer on collective bargaining and labor-management relations across the United States.



### Michael D. Edwards

Mike Edwards is a 24-year veteran of the Seattle (Washington) Police Department. He joined the police department in 1980 and was promoted to the rank of sergeant in 1995. Sgt. Edwards has had a variety of assignments with the department, including Patrol, Harbor Patrol, SWAT, Proactive Undercover Narcotics, and Traffic. He was the SWAT tactical/training coordinator during the 1990 Goodwill Games and the venue squad leader during the 1999 World Trade Organization Conference in Seattle.

Sgt. Edwards is active in the Seattle Police Officers Guild, having served an unprecedented 6 years as president from 1996 to 2002. Currently, he is the vice president of the Council of Metropolitan Police and Sheriffs, a statewide law enforcement organization in Washington State.

Sgt. Edwards has a bachelor of arts degree in sociology from the University of Texas at Arlington with minors in economics and foreign languages. He is a frequent speaker at seminars and colleges on such topics as labor-management relations, police integrity, and community oriented policing.

### CONTRIBUTING AUTHORS

#### Gene G. Blair

Gene G. Blair has bachelor of science and master of arts degrees in history from West Texas State University, now West Texas A&M University. He also has a master of arts degree in urban affairs/criminal justice from the University of Texas at Arlington. In 2001, Blair joined the police labor-management consulting firm Justex Systems, Inc., as director of operations.

Blair retired from Sam Houston State University after 22 years of service with the university's well-known Criminal Justice Center, including assignments as coordinator of the Center's Police Academy, assistant director of the Bill Blackwood Law Enforcement Management Institute of Texas, and director of The Institute for Law Enforcement Training. A former criminal investigator, Blair has published numerous articles, has written one book, and has conducted training for criminal justice professionals in 12 states and Canada. He is retired from the U.S. Army Reserve with the rank of lieutenant colonel in the military intelligence branch.

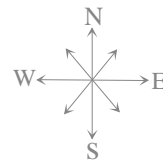
#### Mark Burgess

Mark Burgess worked as an underground coal miner in the Newcastle region of Australia from 1978 to 1988. Burgess joined the New South Wales (NSW) Police Force in 1988, graduating from the Police Academy in January 1989 and was posted to the Newcastle Police Station in the NSW Hunter Region. He was in the inaugural class of the Police Recruit Education Program (PREP), and was awarded the PREP Medallion as dux of the program.

He remained attached to Newcastle Police Station where he worked doing General Duties policing, Intelligence, Beat Policing, and Liquor Licensing. In 1996 he was promoted to sergeant as a district licensing co-coordinator for the former Upper Hunter District, which at the time encompassed the Upper Hunter Valley of NSW.

Shortly after receiving that promotion, Burgess was transferred to Sydney in mid-1996 where he represented the NSW Police Association at the Royal Commission Implementation Unit. NSW Police had undergone the Wood Royal Commission into police corruption that lasted from 1994 to 1996. In that role, he was the liaison between the police department and the NSW Police Association regarding all the proposed reforms flowing from the Royal Commission recommendations.





In May 1998, he was elected president of the NSW Police Association, the largest police association in Australia. He was seconded full time to the Association and was re-elected to that position unopposed in May 2000. In December 2000 Burgess resigned from that position and took up his current role as chief executive officer of the 47,000-member strong Police Federation of Australia (PFA). He has been responsible for realigning that organization with its strategic plan and shifting the PFA's office to Canberra, Australia's capital, to ensure that it has a strong lobbying presence with Australia's Federal Government.

Burgess currently is on leave without pay from the NSW Police Department and has recently moved with his wife to Canberra. During his time in policing Burgess has attained the qualifications of a bachelor of social science (justice studies) in 1995 from Newcastle University as well as a master of public policy and administration in 1998 from Charles Sturt University.

### Jerry L. Dowling

Jerry L. Dowling earned his bachelor of science and doctor of jurisprudence degrees from The University of Tennessee and has been a professor at the College of Criminal Justice, Sam Houston State University (SHSU) since 1972. His primary areas of teaching and research include criminal law, pretrial criminal procedure, legal aspects of criminal justice management, and public safety personnel and labor issues.

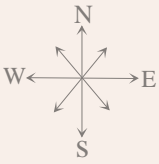
In 2001, he was the recipient of the SHSU Excellence in Teaching Award. In addition to his academic duties, Professor Dowling has conducted many training seminars for police officers and administrators. He is also the coprincipal of Justex Systems, Inc., and serves as editor of *Police Labor Monthly*. Before joining the faculty of SHSU, Dowling worked as a special agent with the Federal Bureau of Investigation. He has conducted numerous research projects and is the author of several publications in the field of criminal law and police personnel practices.

### Sheldon Greenberg

Sheldon Greenberg, Ph.D., is associate professor of management and director of the Division of Public Safety Leadership at Johns Hopkins University. He directs the Johns Hopkins University Police Executive Leadership Program and the U.S. Secret Service Executive Development Program. Both programs are intense 2-year courses of study for select executives. Dr. Greenberg serves as coordinator of the Mid-Atlantic Regional Community Policing Institute. He served as director and associate dean of the Johns Hopkins Division of Business and Management, the University's business school, for 2 years.

Before joining Johns Hopkins University, Dr. Greenberg served as associate director of the Police Executive Research Forum (PERF) in Washington, D.C., a law enforcement think tank and center for research. Dr. Greenberg directed PERF's Management Services Division, providing operations and technical assistance to police agencies worldwide. He directed teams in assessing more than 50 federal, state, and local law enforcement agencies.

Dr. Greenberg began his career in Maryland as an officer in the Howard County Police Department (HCPD). During his tenure with HCPD, he served as a patrol officer, criminal investigator, supervisor of the youth unit, director of the police academy, director of research and planning, assistant to the chief of police, and commander of the Administrative Services Bureau. Dr. Greenberg has worked with the U.S. Marshals Service, U.S. Border Patrol, U.S. Department of Justice, Federal Bureau of Investigation, and the U.S. Department of State in a variety of capacities. He serves as an instructor for the Maryland State Police, the Maryland Police Training Commission, and other police academies nationwide. He is one of the founding members and past president of the Maryland Crime Prevention Association.



Dr. Greenberg has worked with police agencies in Cyprus, Jordan, Kenya, Panama, Hungary, Pakistan, and the Czech Republic. He has served on national commissions and task forces on violence in public schools, race-based profiling, police response to people who have mental illness, police recruiting, and highway safety. He has served on leadership committees for the International Association of Chiefs of Police and the Commission on Accreditation for Law Enforcement Agencies and is a member of the assessment committee for the FBI National Executive Institute. He is the author of several books including *Stress and the Helping Professions*, *Stress and the Teaching Profession*, and *On The Dotted Line*, a guide to hiring and retaining police executives. Dr. Greenberg serves as an expert witness on police operations in federal and state courts.

### Will Harrell

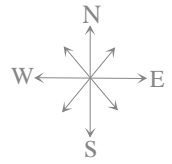
Will Harrell assumed the post of executive director of the American Civil Liberties Union (ACLU) of Texas in April, 2000. Harrell's degrees include a bachelor of arts in history from the University of Texas at Austin in 1987. The American University granted him a Juris Doctorate degree in 1990 and an LL.M in International Law in 1997. Harrell also studied at Oxford University.

Harrell has taught law in Ecuador, lectured on human rights litigation in Chile, prosecuted human rights abuses in Guatemala, Mexico, Peru, Haiti, the United States and elsewhere, supervised elections for the U.S. Department of State in Bosnia Herzegovina, and represented migrant farm workers in Colorado. His first legal post was at the ACLU National Prison Project. Before he took the executive director's post at the ACLU of Texas, Harrell worked as an executive director of the New York City-based National Police Accountability Project, a project of the National Lawyers Guild and the Center for Constitutional Rights. Before becoming a lawyer, Harrell worked for Representative Mickey Leland (D-Texas) and the Congressional Black Caucus in Washington, D.C. As a law student, he worked in the General Counsel's Office of the Metropolitan Police Department in Washington, D.C. and the District Attorney's office in Manhattan.

Harrell and the ACLU of Texas advanced a comprehensive criminal justice reform agenda before the Texas Legislature during the 77th and the 78th sessions. For that 2001 effort, Harrell was awarded the esteemed Torch Bearer Award from the National Association for the Advancement of Colored People (NAACP), was noted as Best of the Legislature by the *Hispanic Journal*, and was profiled in the *Austin Chronicle* Critics Choice: Politics and Personalities. The Texas Law Fellows named him Public Interest Lawyer of the year in 2003. In July 2003, Harrell was acclaimed Chevy Truck Lone Star Hero by the 140 station affiliate Texas State Radio Network. In 2005, Harrell received the Diamond Jubilee Award from the League of United Latin American Citizens for his advocacy for the rights of Latinos. Harrell sits on the Advisory Board of the *Texas Journal on Civil Liberties and Civil Rights*.

### Larry T. Hoover

Dr. Larry Hoover received his Ph.D. from Michigan State University and has been on the criminal justice faculty at Sam Houston State University (SHSU) in Huntsville, Texas since 1977. Dr. Hoover is a past president of the Academy of Criminal Justice Sciences, and the recipient of the 2001 O. W. Wilson Award from its Police Section and the 2003 Founder's Award. He is also the co-principal of Justex Systems, Inc., publishers of *Police Labor Monthly*. He directs the Police Research Center at SHSU, and is the recipient of the University's Excellence in Research Award.



A former police officer in Lansing, Michigan and training coordinator with the Michigan Law Enforcement Officer's Training Council, he also served on the faculty at Michigan State University. He is editor of the anthologies *Police Management: Issues and Perspectives*, *Quantifying Quality in Policing*, and *Police Program Evaluation*, all published by the Police Executive Research Forum, and coauthro of *Enduring, Surviving, and Thriving As A Law Enforcement Executive*, Charles C. Thomas Publishing.

### Ted Hunt

Ted Hunt has been a Los Angeles Police Officer since 1975. He is the immediate past president of the Los Angeles Police Protective League (LAPPL), which is the largest police union in California. He remains on the board of directors of the LAPPL and is the manager of public advocacy.

Before becoming an LAPPL director, his LAPD career was primarily spent in uniformed patrol, traffic collision investigation, and as an instructor at the Los Angeles Police Academy. His Academy assignments included primary academic instructor (1985 to 1991, 1994) and coordinator of executive and management training (1992 to 1994).

He is a member of the following boards and commissions:

Chair, California Commission for Peace Officer Standards and Training; chair, Alcohol Beverage Control Appeals Board, State of California; Executive Board, sergeant-at-arms, National Association of Police Organizations; director, California Peace Officer's Memorial Foundation; director, Los Angeles Police Historical Society; director, Center for Police Organization Studies, University of La Verne; past president, California Coalition of Law Enforcement Associations; Associate, Peter F. Drucker Foundation.

Hunt earned his doctorate in public administration from the University of La Verne in 1996. He has spoken at National Open University in Taiwan, National Police University in Taiwan, National Symposium of Police Integrity sponsored by the U.S. Department of Justice, Harvard University's Trade Union Institute, University of California Los Angeles, University of La Verne, and other universities in Southern California.

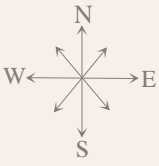
He was awarded the California National Guard Commendation Medal for meritorious service during the 1992 civil unrest in Los Angeles, the Los Angeles Police Department's Meritorious Service Medal, and four other service ribbons. He recently received the California Gold Star for Excellence in Leadership sponsored the sheriffs of five of the largest counties in California.

### Dale Kinnear

Dale Kinnear joined the Ontario Provincial Police in 1975 and holds the position of constable. Since the early eighties he has been actively involved in police labor relations with the Ontario Provincial Police Association (OPPA). He has represented the OPPA at the local, provincial, and national levels. In 1996 he was hired as the director of Labour Services for the Canadian Police Association, on secondment from the Ontario Provincial Police.

As director of Labour Services, Constable Kinnear is responsible for information sharing on collective bargaining and all other aspects of police labor relations between police association in Canada and with the international police association community.





Constable Kinnear has represented police association members on issues dealing with police standards and regulation, regulation of the private security industry, occupational health and safety, police accountability, police governance, police pensions, and numerous consultations on federal and provincial legislation. He is also very active in fundraising for the National Police and Peace Officer Memorial Service.

With the August 2003 merger of the Canadian Police Association and the National Association of Professional Police into the Canadian Professional Police Association, Constable Kinnear is proud to represent 52,000 front-line police personnel in Canada.

### Michael J. Polzin

Michael Polzin, Ph.D., is an assistant professor in the School of Labor and Industrial Relations (SLIR) at Michigan State University in East Lansing. His primary assignment is working with PIERS, the Program on Innovative Employment Relations Systems. PIERS is an outreach unit of the SLIR that works only with public and private-sector unionized organizations, facilitating change initiatives that are jointly designed and implemented by unions and management. He has also taught courses on training and development in SLIR's master's degree program for a number of years.

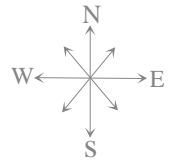
Dr. Polzin has been engaged in workplace education and organizational development for more than 20 years. He spent 3 years with District 1199C, National Union of Hospital and Health Care Employees as deputy director of a statewide training and upgrading program for nursing home workers. For 5 years, he worked on the education/organizational development staff of a Philadelphia-based consulting firm that created democratically structured, unionized, employee-owned enterprises. Dr. Polzin also worked for several years on the staff of the Michigan Governor's Office for Job Training to promote employee ownership, gain sharing, and participative work systems to union and management leaders throughout the state. More recently, Dr. Polzin designed and managed a reemployment resource center in Michigan's Genesee County that assisted workers dislocated from professional, technical, and production/service level positions to secure new employment in a timely fashion.

Dr. Polzin has taught in the Labor Studies Program of Penn State University and the Union Leadership Academy of Rutgers University. He has also taught courses for Grand Valley State University and in the Master of Management program of Aquinas College. Dr. Polzin holds a degree in psychology from Aquinas College and a doctorate in adult education from Temple University. His doctoral dissertation explored intrinsic and extrinsic factors that influenced worker participation in workplace decision making. He is the co-program director of the Police Union Executive Leadership Program sponsored by the SLIR at Michigan State University.

### Michael R. Shannon

Michael R. Shannon is a coauthor of *Police Association Power, Politics and Confrontation* published by Charles C. Thomas, Ltd. Although marketed to law enforcement associations, the book is a text on message development, public relations, crisis communication, and coalition building that is valuable to any union, association, or organization that has a story to tell.

Shannon's political, message development, public relations, and media training client list has included the Minneapolis Federation of Police, the Orlando (Florida) Fraternal Order of Police (FOP) Lodge, Philadelphia FOP Lodge, the Combined Law Enforcement Associations of Texas, the University of Tennessee's Command College, the Fort Worth Police Officers' Association, the Indiana State Police Alliance, the Aurora, Colorado, Police Association, the Colorado Springs Professional Firefighters Association and police and fire pension groups under the aegis of the Information Management Network.

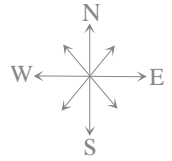


He is on the faculty of the Police and Fire Labor Institute and has lectured and conducted training sessions on message development, public relations, crisis communication, and radio and television for the Ministry of Foreign Affairs in Israel, the University of Virginia's Sorenson Institute, The Jewish Institute for National Security Affairs, *Governing* magazine, the National Coalition of Public Safety Officers, *Campaigns and Elections* magazine, the American Medical Association, the American Association of Political Consultants, the American Cancer Society, the Ohio Education Association, the Texas Medical Association, and the Texas Education Association in the United States. He also has lectured and conducted training sessions for the United National Congress in Trinidad and Tobago, Unia Wolnosci in Poland, Project Venezuela in Venezuela, and for NDI in Croatia.

In addition to his work with MANDATE, a public affairs and media consulting firm, Shannon has been a commentator for KERA television and the *Fox Morning News*, written opinion editorials for the *Dallas Morning News* and the *Arkansas Political Report*. He was formerly a contributing editor for the *Computer Shopper* and has written for *MacUser* and other magazines.

The work Shannon has done in the radio and television arena has been recognized for both creativity and effectiveness. He is a multiple first-place winner in the American Association of Political Consultants *Pollie* awards. Shannon won back-to-back first-place *Silver Microphone* awards for radio commercials. He is a three-time winner of the prestigious Gold statue at the Houston International Film Festival. In 1994, Shannon won first place in the Vision Awards for television. In 1998 and 1999 he won the *Silver Microphone* for best campaign.

After leaving the University of Oklahoma, where he majored in broadcast journalism and was awarded a Phi Beta Kappa key, Shannon's first job was as an anchor on an ABC outlet in West Texas. He went on to be a correspondent for the Texas State News Network and an editorial writer and columnist for the *Dallas Morning News*. Since 1993, Shannon has been a reserve police officer, first with the Fairfax County Police Department, and most recently with the Town of Dumfries Police Department, both in Virginia.



## Authors' Note

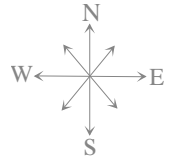
To simplify the terms used in this project, the terms “police,” “police officer,” “police department,” or “law enforcement agency” will include municipal, county, special district, state, or federal law enforcement officers and agencies.

The term “police chief” will include police chiefs, sheriffs, constables, or the head of a law enforcement agency. The terms “law enforcement executive,” “police manager,” or “police management” will include the head of the law enforcement agency and the command staff of the agency. The term “government administrator” will include city managers, county managers, or the chief administrative officers of municipal, county, special districts, state, and federal governments.

In the public sector, especially among law enforcement labor organizations, you are more likely to see the terms “association” or “lodge,” instead of “union,” attached to the name of the organization. The Fraternal Order of Police (FOP) uses the term “lodge” to describe its affiliated groups. Some organizations use “association” in their name and are also FOP lodges. Affiliates of the International Union of Police Associations (IUPA, AFL-CIO) and the International Brotherhood of Police Officers (IBPO/NAGE, AFL-CIO) tend to use the term “union” more often in their organizational names. Independent law enforcement labor organizations, not affiliated with FOP, tend to use combinations of the terms “police officers’ association,” “police association,” or “police benevolent association.” Independent labor organizations in sheriff’s departments generally use “deputy sheriff’s association,” “sheriff’s officers’ association,” or “deputy sheriff’s benevolent association.” There is no one common denominator when it comes to organizational names or affiliations.

We will use the term “police union or law enforcement union” to include all law enforcement labor organizations regardless of their agency or organizational affiliation. With 80 percent or more of the nation’s law enforcement officers in employee organizations unaffiliated with the AFL-CIO, the use of the term “union” causes many law enforcement officers to bristle and try to explain why how their employee organization is really an association or lodge. It is just a matter of semantics because associations, unions, and lodges are all labor organizations if they are formed by dues-paying employees desiring to improve their wages, hours, and working conditions through collective bargaining, collective action, or collective begging.





## Preface

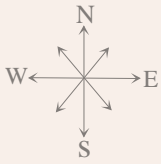
The purpose of this project was to create a practitioner's guide for police managers and police unions that seeks to unravel the mysteries surrounding the two sides of policing, and offer some principled and practical solutions to surviving in the 21st century world of policing that is becoming more and more complex and complicated. The basic goals of the project were the following:

- Survey police unions and police management on the current state of labor-management relations in their agencies with an emphasis on implementing change in the direction and operations of the law enforcement agency or reform in the agency
- Analyze the survey data to determine those aspects of the labor-management relationship that would appear to be the most cooperative and those aspects that would appear to be the least cooperative when the law enforcement agency is desirous of change or reform, i.e., what is working and what is not
- Create a model police labor-management process to implement change and reform the law enforcement agency
- Develop an educational and training program for police union leaders and police management in how to implement change in a law enforcement agency in a cooperative manner
- Establish methods to encourage police unions and police management to work together to make the reduction of crime a part of their relationship (with or without the right to collective bargaining) and to develop a shared vision of a safer community.

This project was not designed to be a "how to" book on collective bargaining, grievance handling, arbitration, or bargaining impasse resolutions.

Change or reform of a law enforcement agency would include, but not be limited to such traditional change agents as the use of force by police, corruption in the agency, ineffectiveness or inefficiency of the agency, racial profiling and other minority complaints, diversity in promotions and in hiring, and mismanagement of agency personnel and resources. The project was to include information on how to gain the cooperative implementation of community-oriented policing concepts by creating ownership in the program for the police union and police management.

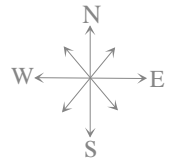
The most serious problem facing the police profession in the 21st century is how to implement change or reform in a law enforcement agency in the most cooperative manner with the least amount of disruption to the operations of the agency. The police are one of the most powerful and visible arm of the government. Individual police officers are empowered to detain, arrest, subdue, and under justifiable circumstances, injure or kill a citizen in order to perform their duties. Police officers are reluctant and resistant to change or reform, especially when the officers perceive the change or reform as politically motivated. A case in point is that despite an obvious hue and cry for citizen control of the police by elected officials, the media, and the public, the few existing citizen review boards in the United States generally are powerless to investigate or charge individual police officers with misconduct or implement reforms in a police department.



In general, elected officials pressure the city manager to implement changes in the police department. The city manager then puts pressure on the police chief to make the changes demanded by the elected officials. The police chief, who is appointed by the city manager, then issues orders for the changes to rank-and-file officers. The rank-and-file officers see the changes as arbitrary or politically motivated and demand that their union leadership fight the changes. The media see a controversy and headline the conflict between labor and management. The public watches the fireworks. This pattern of arbitrary implementation of change or reform without consultation with the police union or the rank-and-file officers causes disruptions in the operations of the department. The police union and the police officers have no ownership in the proposed changes or reforms.

While there have been regional studies on cooperative police labor-management relations, there does not appear to be any research, literature, or training disseminated nationally on the broader subject of implementing change or reform in a law enforcement agency in such a manner that both police management and the police union have ownership in the changes or reforms. The project coordinators and the advisory team members found the following deficiencies:

- There has not been a national survey of police unions or police management on the current state of labor-management relations about implementing a change in the direction and operations of the law enforcement agency or reform of the agency.
- There has not been a national survey of police unions and police management to determine those aspects of the labor-management relationship that would appear to be the most cooperative and those aspects that would appear to be the least cooperative when the law enforcement agency desires change or reform. Best- and worst-case studies are not available on what is working and what is not working.
- There is no national model police labor-management process for implementing change or reform in a law enforcement agency. Neither the police union nor police management seems to understand or appreciate the external and internal demands on each other. Traditionally, police unions and police management have existed at arm's length with each side viewing the other as adversaries. Each agency has a history, culture, and tradition that shape its police labor-management relations. The cycle of conflict, confrontation, and discord between labor and management has become a comfortable way of doing business. The communication between police unions and police management is often nonexistent, which creates a potential for disruption of police operations and delivery of services to the public. Both police labor and management have preconceived attitudes about each other that shape their decision-making processes. Add to this volatile mix the external and internal politics that exist in the management and operations of all law enforcement agencies. All of these factors work to prevent cooperative labor-management relations and thwart implementation of change or reform.
- There are no national educational and training programs for police union leaders and police management in how to implement change in a law enforcement agency in a cooperative manner. While there are training manuals, seminars, and literature on traditional police labor-management relations, these programs are targeted toward wages, hours, and conditions of employment in law enforcement agencies with formalized collective bargaining or a grievance procedure. Traditional labor-management programs are designed to have a winner and loser in each situation. There is a need for cooperative interactions between police unions and police management daily and not just during the collective bargaining process, grievances, or arbitrations.



Who should be responsible for reducing crime and working to make the community safer? One would think the police union and police management would be the primary players. There have been no methods developed to encourage police unions and police management to work together to make the reduction of crime a part of their relationship. The primary relationship between the police union and police management generally is limited to collective bargaining, grievances, and arbitration. Police unions tend to concentrate on wages, benefits, and working conditions, whether they have collective bargaining rights or collective bargaining. Police management tends to concentrate on control and discipline issues. Rarely do police unions and police management have a shared vision of the type of department they desire. None seem to have a shared vision of how to make the community safer.

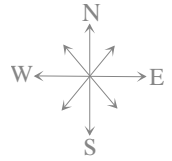
To further complicate the attempts to implement change or reform is the lack of understanding that the roles played by police management, local government administrators, elected officials, the media, and the public in the process are all co-mingled and overlapping. There is no practitioner's guide for police unions and police management on how to deal with these external spheres of influence. All effective change must start with a consensus of the officers affected by the change, the agency head, the local government administration, the elected officials, the media, and the public if the change is to be implemented with minimal conflict. This practitioner's guide to police labor-management relations fills an existing gap in the ability of police unions and police management to work cooperatively to implement much needed change or reform in their agencies.

## Related Guidebook

One of the objectives of the project was to create a practitioner's guide for training police managers and police union leaders to implement changes, make reforms, and handle crisis in their law enforcement agencies. The project managers decided that a separate and distinct resource should be written that would address that objective.

Professor Michael Polzin from the School of Labor and Industrial Relations at Michigan State University in East Lansing, Michigan, and CLEAT President Ron DeLord developed a proposal to do the separate training guide book under the auspices of this project grant. While *Police Labor-Management Relations (Vol. I): Perspectives and Practical Solutions for Implementing Change, Making Reforms, and Handling Crises for Managers and Union Leaders* and *Police Labor-Management Relations (Vol. II): A Guide for Implementing Change, Making Reforms, and Handling Crises for Managers and Union Leaders* are interconnected, each book can be read separately by police managers and police union leaders.





## Introduction

### MANAGEMENT AND LABOR IN COMMUNITY POLICING: CHARTING A COURSE

By

*Larry T. Hoover, Jerry L. Dowling, and Gene Blair*  
*Sam Houston State University and Justex Systems, Inc.*

#### Why Dangerous Waters?

Since the inception of organized labor, both management and union representatives have struggled to maintain a balance between advocacy and antagonism. Everyone recognizes that there is a fine line between the two. We expect both management and labor to maintain a strong and healthy advocacy role. We recognize that when the line is crossed and management and labor become antagonistic, everyone suffers. But that line is crossed with regularity. Indeed, in some enterprises in America extreme and unyielding antagonism have resulted in the ruin of the organization, the ultimate “lose–lose” outcome.

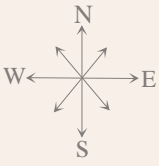
The problem is no easier to handle in law enforcement than in any other enterprise. Despite the fact that policing is a public-sector occupation, that police unions are supposed to be quasiprofessional associations, and that there is a prohibition against the ultimate job action (a strike), nevertheless relations frequently degenerate. Police managers often characterize relationships with the union as their most stressful role, even more stressful than with the American Civil Liberties Union or problematic city council members. Police union officials, on the other hand, frequently characterize the management of their organizations as “impossible to work with.”

Recent efforts to be innovative in police role and response have brought the issue to the forefront. Efforts labeled Community Policing, as well as those labeled CompStat, require new roles, scheduling flexibility, assignment changes, and above all, commitment and cooperation by all parties. Old animosities between management and labor can easily sabotage any effort at innovation in policing. New modes of policing do not alleviate sources of strain that traditionally exist between management and labor in law enforcement; instead, they exasperate them. That is what this book is all about. Understanding the issues is the first step toward cooperation in the professional development of law enforcement. Understanding the issues does not guarantee agreement, nor is it a vaccine against antagonism. But it is an important start toward building management and labor partnerships and toward finding at least a few “win–win” innovations.

#### Organizing Boats into a Fleet

To state the obvious, there is inherent conflict between management and labor, a conflict so fundamental that becoming “one big happy family” is a pipe dream. Variation in roles dictates conflict. The question, of course, is whether that conflict can be kept within what we might consider a healthy range.

Employee associations must be an advocate for their membership. A reasonable reaction to such a statement might be “Well, yes, of course.” But the issue goes beyond this simplistic observation. There is an expectation by the membership that a union will be a strong, outspoken, vigorous advocate for the membership. If elected union officers are perceived as “getting into bed with management” they won’t last long. Think of a parallel in the legal system. A plaintiff in a lawsuit might be a little uncomfortable walking



into a restaurant and finding his attorney having dinner with the attorney for the defendant. There is an expectation that one's representative in an inherently adversarial relationship maintain some distance from the representatives from the other side. In a political context, we don't elect as our representative a Democrat expecting that individual to go on vacation retreats every few weeks with the Republican caucus. We expect cooperation and civility, but we also expect individuals who play a representation role to keep an arms length from advocates from the other side. When union leaders become "too cozy" with management, they are no longer trusted, and they are no longer reelected.

This has profound implications for the role of union leaders. Put simply, they must maintain some level of conflict if they expect to stay in office. If everything is sunshine and daisies, if there are no problems with management, union officials may find themselves no longer needed. This also has implications for the implementation of community policing endeavors. A labor organization will not greet proposals for sweeping changes in philosophy and approach with unquestioning enthusiasm. Labor organizations are inherently mistrustful of change. That is their role. The membership that elected them expects them to challenge new ideas. Further, the first response is not likely to be "What's in this for our citizens?" but rather, "What's in this for our membership?" That reaction is not likely to sit well with managers just back from a conference about the need for innovation in law enforcement.

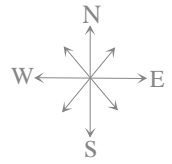
Police chiefs are often heard to say words to the effect that "no matter how good a job you do at cultivating positive relationships, they'll find an issue." Police chiefs are essentially correct. Although union leaders do not intend their actions to be destructive, or to undermine basically positive working relationships, they must maintain some level of strain. Put a little differently, they must at least occasionally fan the fires if they are to remain in office. Police managers who understand that are not as likely to personalize the conflict.

One must understand that this does not preclude cooperative, productive relationships. Management and labor can, and frequently do, work together for the better good of the organization and the clientele served by the organization. But there are limits to joint, cooperative effort. If everyone understands the limits there will be less rancor. A police chief who takes office expecting that engagement and cooperation with the union will bring 100 percent support 100 percent of the time is in for a rude awakening. It will not happen. And, after all, it must be remembered that many an innovation tried by management failed (as would be expected). Many an innovation turned out to indeed be this year's fad within the International Association of Chiefs of Police. The union probably should be skeptical. Some healthy skepticism by at least one element of the organization might be a good thing.

### **Laying the Keel: Developing Trust in Relationships**

Active engagement with a police officer association will accomplish far more than hostile isolation. Responsibility for such engagement lies with management, not labor. A police manager, however, needs to clearly articulate the nature of such engagement and its limitations. Some police chiefs and sheriffs are comfortable with a representative of their police officer association attending any or all staff meetings. Some are not. Some are comfortable having an official representative of the association on all internal agency developmental task forces, some ask the union to participate only on selected task forces. Others would prefer to engage the union only in designated meetings that are particularly designed for labor-management communication. What is essential is some level of engagement, and that everyone understands the rules.

Community policing initiatives require planning, restructuring, and reallocation of resources. There is no prescriptive formula for union participation in such efforts; however, it is relevant that community policing efforts are by definition a challenge to traditional policing styles. It would certainly seem prudent under such



circumstances to engage the union early and often in one forum or another. The case studies contained in this book, *Chapter 12 – San Diego*, *Chapter 13 – Austin*, and *Chapter 14 – Stamford*, illustrate the value of such engagement.

Who is the captain of the ship? Many police managers are adamant about staying within the agency's chain of command, but consistently violate it. There is a hierarchy of elected association officials in every police association. One violates that hierarchy with the same risks that one violates the corresponding hierarchy in the police department. If a police chief or sheriff clashes with the union president, or he or she simply dislikes the individual, it is easy to inadvertently slip and start communicating with the "more reasonable" union secretary instead. This plots a course for even more problems. Engagement in community policing planning and implementation should be formal, and within the union's chain of command.

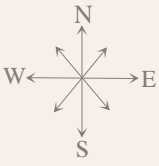
Little things can make a great deal of difference in the process of developing relationships with police association representatives. It will not help matters if meetings are always held in the chief's office with the chief sitting at the head of the table. Using informal settings, or, at the very least, a generic conference room setting, communicates a great deal.

While a level of informality in the nature and structure of meetings is advisable, one must be careful about informality regarding labor-management agreements. The potential for misunderstanding is enormous. Particularly problematic forms of informal agreements are "secret deals." A secret deal might take the form of a union president saying *"Look, we're going to make a public stir about not using seniority as a criteria for assignment to the SRO program, write a piece about it in the union newspaper and such, but really expect you to go ahead as you see fit. What we really want is for you to do XYZ, and as long as that happens; don't worry about seniority and the SRO program."* The police chief quietly nods his head. The role, of course, might be reversed, with the police chief making the proposal. The point is that the process of reaching secret deals isn't really much different from the process of structured bargaining. It is a form of "you give me this, and I'll give you that." Hence, it is easy to slip into the trap of consummating such agreements. Secret deals are very dangerous waters to navigate. While it would be overly dogmatic to say that such an arrangement should never, ever be done, it certainly is not overly dogmatic to suggest that it be done very carefully, and only rarely.

More important than any other element of relationship maintenance separating economic advocacy from issues pertaining to agency management. This can be problematic regarding issues pertaining to community policing. First to note is that a police chief or sheriff should never become an economic advocate for the jurisdiction concerning limits on wages or benefits. A police administrator needs to have a clear understanding with his or her boss that he or she will not play such a role. The position of a police chief during economic negotiations should be very simply, "My officers deserve as much money as the jurisdiction can possibly afford to give them." This position is a classic neutral one. "My officers deserve as much money as possible" is a proper advocacy position for the department's officers. But the caveat "as much as the jurisdiction can possibly afford to give them" clearly acknowledges the role of the police administrator as a jurisdictional administrator. Agency management always needs to be at the bargaining table on the side of management to protect management rights. But they need to excuse themselves when the management team caucuses on economic issues.

This basic posture for management can be difficult to maintain regarding community policing implementation. For example, a union might have strong feelings about the need for specialist assignment bonus pay. There already may be an extensive list of assignments that engender such extra pay. A police manager wishing to implement innovative specialist roles—community resource officers, school resource





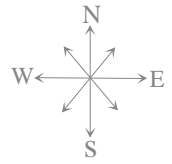
officers, a specialist role in nuisance abatement, an officer assigned to cyber crime—may find efforts blocked because the union insists on more money for officers so assigned and the budget will not allow it. It is easy under such circumstances to inadvertently slip into negotiating the economic package with the union.

Union leadership, on the other hand, needs to exercise great caution in mixing economic demands with those pertaining to working conditions. Advocacy of an economic shift differential should be separated from advocacy of shift selection by seniority. Although frequently treated as such, they are not interchangeable concepts at the bargaining table; one should not be traded for the other. Further, representatives of police associations should be expected to exercise restraint on diminution of management rights. A naive negotiator from a jurisdiction may offer to give up management rights for economic concessions. The temptation by union representatives may be overwhelming to accept such a bargain. But for the long run, it is a bad bargain and should not be struck by either side. To draw a parallel—a prosecutor who pursues a case with legitimate doubt about the guilt of the accused is not serving his or her profession well. We expect an ethical code that places justice first and winning cases second, at least among states' attorneys. Similarly, as professional associations, police unions should operate with a higher standard than winning concessions, any concessions, at the bargaining table. It is a legitimate trade-off; unions should be able to trust police management to do no harm in their efforts to win better economic packages. Police managers should be able to trust union officials to do no harm regarding the ability of management to effectively allocate and deploy scarce resources to control crime. If that practice already exists as standard operating procedure, then far fewer issues will arise with regard to community policing, CompStat implementation, or other change efforts.

### **Launching the Ship: Issues Germane to Community Policing Implementation**

The core issues discussed above are directly relevant to labor-management relationships pertaining to the implementation of community policing. Community policing requires flexibility. Traditional labor agreements constrain flexibility, in particular, regarding assignment and scheduling. Some agreements go even further and constrain flexibility in delineating occupational roles and responsibilities. Unless renegotiated, rigidly enforced constraints of this nature can inhibit the implementation of community policing substantially.

Constraints on scheduling flexibility are a good example. As part of community policing efforts, many agencies have created full-time community policing specialist roles. Nomenclature varies; terms used include neighborhood patrol officers, district area representatives, and community liaison officer, among others. We will use the term “community resource officer.” Community resource officers are assigned a collection of beats. For that collection of beats, they are responsible for structured community contact, problem solving, intergovernmental communication, quality-of-life issues, and a liaison role. The range of responsibilities obviously varies substantially by jurisdiction, but this describes what is typical. Addressing this range of responsibilities requires flexibility in schedules. Community meetings do not always occur on the same shift on the same day of the week. While a community resource officer might need to meet with a business group at noon one day, he or she may need to meet with a neighborhood association at 7:00 PM the next day. A straight 8:00 AM to 4:00 PM work shift does not accommodate this kind of responsibility. Following up on a problem for a problem-solving effort may require working during the same week one morning, two afternoons, and an evening. Implemented ideally, community resource officers work an ongoing flex schedule with the hours in any given week determined jointly between the officer and his or her supervisor. But if a contract provision stipulates that overtime is paid if there is any less than a 16-hour gap between shifts, there are obvious problems. What was equitable and worked well in standard patrol assignments does not necessarily work well for the role of a community resource officer.



The role of detective provides a second illustration of potential problems. Decentralization and refocus of responsibility under community policing models has resulted in changes in the traditional dichotomy between the role of patrol officer and that of detective. In a traditional setting, the role of detective was treated as essentially a rank. Indeed, many agencies have invoked the promotion testing process for the rank of detective. While the “detective sergeant” model is seldom used anymore, a distinctive specialist rank for the detective designation is common.

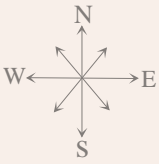
Among the role changes fostered by community policing are hybrid positions somewhere between a patrol officer and a traditional detective position. In some cases, these roles have evolved from the creation of an initial role of community resource officer. Where the community resource officer role has evolved to be more crime centered and directly supportive of patrol, what has actually resulted might better be called “crime control officers.” The problems they choose to focus on are crime problems. They work those crime problems in terms of problematic locations and problematic people. They solve the problems both through sustained follow-up investigation of related clusters of offenses and target hardening. They do not fit the mold of traditional detective assignments by specialized crime categories—burglary offenses, auto theft, or crimes against persons. They do not carry a caseload in the traditional sense; nevertheless, they often work individual cases if that case is part of a problem pattern. Under this model, investigations become an assignment rather than a rank. If a contract stipulates that the role of detective is a rank, particularly a tested rank with a salary supplement, then it is likely that there will be conflict between the evolving role of a problem solver investigator and traditional detective requirements. Management is likely to gravitate toward the new model because an assignment model for investigations provides more personnel flexibility, less cost, more rapid redirection of resources, and personnel can easily be reassigned if they do not perform well.

A third illustration of role ambiguity is shaped by emergent technology. The application of emergent technology to law enforcement demands sophisticated specialists. Particularly in large jurisdictions, specialist roles are evolving in cybercrime, international and transnational crime, networked information sources, crime scene processing, and forensic expertise. Are these patrol positions or investigator positions? Do these roles justify supplemental specialist pay? Can these roles be staffed by traditional assignment techniques, particularly seniority, or must management have total flexibility to match talent to assignment? While we might insist on seniority as a criterion for many positions, is it realistic to even consider seniority for the role of a cybercrime expert?

Yet another problematic development is the growing popularity of CompStat-style interdiction strategies. There are a number of critical elements in the CompStat process, including the following:

- Accountability of personnel
- Focusing discretionary resources on immediate crime problems
- Addressing crime problems in creative ways
- Integrating efforts that cross traditional police organization charts to address particular crime problems.

Originally conceived in New York City as predominately a tactical approach for patrol, New York and other agencies using the CompStat model have found that investigations must be tightly integrated. Like community policing efforts, assignment and schedule flexibility are critical elements to the success of CompStat. It thus raises all the issues of labor-management stress encountered in community policing models.



## Dilemmas Created by New Models of Policing

For many of the issues described, labor perceives itself caught between a duty to represent its membership (in both employee rights and economic benefits) and an obligation to foster progressive law enforcement. Immediately granting management the right to impose flexible scheduling for community resource officers may initially appear to simply be “the right thing to do.” But is such a concession a problem of opening Pandora’s box? How soon will it be before detectives are required to work mornings, go home for 4 hours, and then come back for the evening without additional compensation? How long will it be before flex-hours become extra hours? Should a labor organization support the creation of a hybrid “patrol problem solver/investigator” role which is an assignment, not a promotion, and not even an extra pay specialist role?

One envisions a police union president gazing across the street to the fire department and contemplating that half of the nonsupervisory membership of the International Association of Fire Fighters (IAFF) is receiving supplementary pay for specialist roles as drivers, chauffeurs, or engineers. Is our police union president to forsake specialist role supplements for the rank-and-file that he or she represents? By demanding assignment pay is he or she “milking” community policing for all its worth or obtaining legitimate benefits for increased responsibilities assumed? If he or she gives up seniority as a criterion to be considered for assignment, is this giving management needed flexibility, or giving away member rights? These are not easy questions to answer.

## Navigational Hazards: The National Survey

As part of the exploration of management and labor cooperation, a practitioner survey from a national sample was conducted in 2002 by Justex Systems, Inc. The survey assessed the contrasting perceptions of police chiefs and union presidents about the extent of cooperation and issues that generated stress between management and labor during the change process. Parallel versions of a survey instrument were distributed to chiefs and labor organization presidents of all municipal agencies with populations greater than 100,000. In addition, a sample of 10 state police agencies was included, and 48 agencies with populations of less than 100,000 who were identified as agencies with organized labor associations and concerned with labor relations issues.

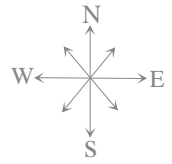
A total of 181 surveys were returned, a rate of 36 percent for management (chiefs) and 19 percent for labor organizations (presidents). Response rates were considered sound, particularly given the fact that large agency police chiefs receive innumerable surveys and are busy professionals. Their union counterparts may not receive as many surveys, but are certainly equally busy. The 181 responses from major American police agencies provided a reasonable picture of the issues involved. Data from the survey referenced in this chapter may be found in Appendix A.

Given that the surveys were distributed to chiefs and labor organization presidents in primarily large agencies, results are obviously more applicable to that environment. At the same time, it is in that environment that one would expect the most serious communication and cooperation issues to arise.

## Respondent Profile

Agency heads had about the same tenure as their union counterparts; both averaged close to 5 years in their leadership positions. When it came to total law enforcement experience, chiefs had a 10-year advantage over the union presidents, which amounted to 50 percent more experience. Both positions tended to be filled by someone who had worked his or her way up through the organization. Most union presidents





moved through other offices en route to their current office. A little more than half of all respondents reported operating under the auspices of a formal contract, negotiated under an enabling state law. About 22 percent had a memorandum of understanding, a few had a locally authorized memorandum or letter of agreement, and a small number reported having no formal agreement whatsoever.

## Meeting Frequency

Monthly meetings are preferred by most. When asked if they routinely had formal, scheduled meetings with their counterparts in labor or management, 63 percent of police chiefs and 51 percent of union presidents replied that they had monthly meetings. Weekly meetings were held by 13 percent of both management and labor, with about 5 percent meeting quarterly. Others reported meetings on an irregular basis. A majority on both sides reported having a formal management-labor relations committee.

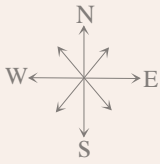
Twenty-five percent of chiefs as well as union presidents reported union representatives participating in senior command staff meetings. Both sides reported significant participation by union representatives in meetings with city/county managers, with community groups, and in strategic planning meetings with various components of the agency. About 16 percent of chiefs and 32 percent of union leaders also had union representation in strategic planning meetings.

When questioned about their practice of conferring on a number of specific issues, management's self-perception was that it solicited the input of labor a majority of the time, while labor viewed itself as being included in the discussion of the issues less often, depending on the issue. Labor and management had big differences of opinion (as measured by a 12 percent or greater discrepancy, shaded in the table below) about their respective willingness to confer on citizen complaints, scheduling, communication channels, relations with political entities other than the city/county, applications for grants, and the response to racial profiling. In each case, more chiefs perceived themselves as including labor in the issue under discussion than union presidents felt that they were, in fact included in these discussions.

### Management Does Not Confer with Union/Association Representatives

Issues	Chief	Union
o Grievances filed	22%	19%
o Citizen complaints filed	6%	60%
o Scheduling of officers	39%	51%
o Assignment of officers	50%	59%
o Promotional exam process	42%	49%
o Updating policy manuals	33%	32%
o Equipment issues	21%	33%
o Communication channels	28%	51%
o Supervisory issues	39%	49%
o Relations w/ city/etc., mgt.	43%	51%
o Relations w/ political entities	58%	71%
o Relations w/ comm. groups	59%	67%
o New programs or initiatives	21%	29%
o Applications for grants	74%	91%
o Response to racial profiling	34%	50%

(Shaded areas indicate a difference of 12% or more)



Policing Strategy

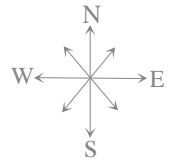
Community policing has been in evidence in many communities for more than a decade now. Sixty percent of executives and almost as many union leaders acknowledged roles in their agency that one would characterize as specialists in general assignment community policing, for example, neighborhood patrol officers or problem-solving officers (they were told to exclude officers assigned to Drug Abuse Reduction Education [D.A.R.E.®]). For community policing to work, it is generally understood that top-to-bottom cooperation in the department is needed. Respondents were questioned about their participation in formal discussions about their department’s community policing efforts. More than half of the chiefs responded that they had consulted labor on strategic planning issues, but only one-fourth of the presidents felt they had been included in strategic planning as it concerned community policing. Scheduling in support of community policing marked another point of difference, as 43 percent of chiefs had solicited union input, but only 29 percent of union presidents perceived that labor had been consulted on scheduling.

Community Policing Discussions with the Other Side	Chief	Union
o Strategic Planning	53%	26%
o Officer assignment to community policing duties	37%	31%
o Scheduling in support of community policing	43%	24%
o Geographic beat distributions	32%	29%
o Methods of community engagement	27%	18%

When asked if the union had ever directly and actively opposed a new program or initiative characterized as community policing, one-fourth of chiefs and one-third of union presidents reported that they had not experienced this situation. In other words, three-fourths of chiefs had encountered what they considered as union opposition to a community policing initiative. By contrast, less than one-tenth of chiefs reported the failure of a new community policing program because of union opposition. A greater number of union leaders (25 percent) felt that they had successfully impeded the implementation of a community policing initiative in their department.

What was the source of this resistance? Management and union executives were asked to rank in order the sources of resistance to change which they considered most serious. Chiefs rated the following potential sources of resistance to change, from most serious to least serious as follows:

1. Rank-and-file officers not operating under the auspices of an association.
2. Supervisors and middle managers (sergeants and lieutenants).
3. Union or association.
4. Senior command staff (captains, deputy/assistant chiefs).
5. Other group.
6. City/county/state government.
7. Community members.



Likewise, union presidents ranked potential sources of resistance to change as follows:

1. Rank-and-file officers not operating under the auspices of an association.
2. Other group.
3. Supervisors and middle managers (sergeants and lieutenants).
4. Union or association.
5. Senior command staff (captains, deputy/assistant chiefs).
6. City/county/state government.
7. Community members.

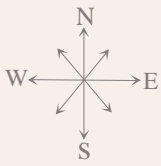
On the other hand, a number of agencies have formalized provisions in a contract, memorandum of understanding, or other labor-management document that create special considerations, such as flex time for officers assigned to programs characterized as incorporating a community policing philosophy. While more than half of the respondents' agencies do not have formal agreements that incorporate community policing measures, another one-fourth of agencies do have agreements pertaining to scheduling of personnel. Less than one-fifth have provisions affecting rotation and assignment of personnel. A small number of agencies address the role or nature of work issues and personnel standards in their agreement.

## Perceived Problem Areas

When presented with a list of possible problematic issues that might impede the implementation of community policing-related change within the department, chiefs tended to be much more sanguine about most of them. In only one case—civilian review boards—did more than one-tenth of chiefs characterize this as a serious problem. The other 10 issues were characterized by chiefs as only somewhat of a problem or not a problem at all. Union presidents were asked if implementing community policing caused a problem among membership or generated resistance among the rank-and-file. They were somewhat more pessimistic in their outlook, differing with chiefs over issues of assignment and rotation of personnel, the role of patrol officers, racial profiling, and changing work priorities.

	Not a problem		Some problem		Serious problem	
	Chief	Union	Chief	Union	Chief	Union
o Scheduling of personnel	37%	31%	54%	47%	9%	23%
o Assignment of personnel	44%	27%	50%	50%	7%	23%
o Rotation of personnel	51%	43%	41%	44%	8%	13%
o Role of patrol officers	75%	44%	22%	40%	3%	16%
o Role of investigators	81%	70%	17%	20%	2%	10%
o Role of supervisors	73%	60%	26%	30%	1%	10%
o Role of middle managers	79%	63%	20%	28%	2%	8%
o Higher personnel standards	70%	67%	28%	28%	3%	5%
o Civilian review boards	67%	60%	17%	14%	16%	26%
o Racial profiling response	73%	61%	22%	21%	5%	18%
o Changing work priorities	60%	32%	35%	52%	6%	16%





Chiefs and union leaders were asked about the extent of support for community policing among association/union members. More chiefs perceived support for community policing in union ranks than did union officials. This may imply that chiefs were not fully aware of the extent of opposition within their agency. Sixty-two percent of chiefs felt that there was extensive to near total support for community policing in their agency, while only 35 percent of union presidents agreed. However, only 2 to 3 percent of both groups believed that there was virtually no support for community policing in their departments.

### Working Relationship

In spite of the stereotypical perception of many that management and labor are constantly at each others' throats, chiefs and union leaders surveyed agreed that their working relationship with their counterpart was for the most part positive and pleasant. A minority of unhappy respondents, 15 percent of union leaders and 8 percent of chiefs, characterized their interactions with management as hostile and bitter or antagonistic. Conversely, 80 percent of chiefs and 63 percent of union leaders described their working relationship as either collaborative and fully engaged or at least cooperative and friendly. The rest described their discourse as noncollaborative, but neutral.

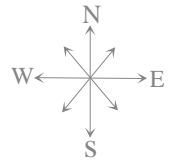
Occasionally, a fairly smooth working relationship will be undone by a single dramatic incident or high-profile event (shooting, civil disturbance, disciplinary case). When asked if something like this had affected labor-management relations in recent years, fully one-third of chiefs and one-half of union presidents said that there had indeed been such an incident in their department.

Labor and management share the media spotlight more often than one might suspect. More than half of chiefs and union leaders had appeared at a community forum together with their counterpart or another union representative. A majority of chiefs and close to half of union presidents reported participating jointly in training programs and conferences. About one-fourth of both groups had issued a joint press release or held a dual press conference.

A frequently-cited hindrance to association/union participation with management in program and initiative planning is that the union representatives may be seen by the rank-and-file membership as "getting too close to management." When asked if this perception had occurred in the history of the relationship of management with the police department's association and vice versa, only one-fifth of chiefs and union leaders, respectively, replied with an affirmative answer.

A related issue is the concern of some in labor that if an association or union participates in the development of a program or policy in response to an issue such as racial profiling data collection or the implementation of a civilian board, union leadership risks taking the blame from its membership for a potentially unpopular police agency response. Some 12 percent of chiefs and 18 percent of union leaders reported that they had experienced this blame phenomenon.

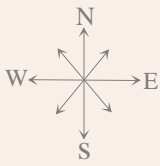
Another fear is that working collaboratively may become legally formalized as a management-labor past practice and, hence, be mandated by arbitrators and/or courts for future endeavors, that is, a mandate may occur to involve the union in all or most management decision making because it was a past practice. Again, only a small minority (14 percent) of respondents indicated that a potential past practice ruling had ever been raised by management as a concern in the context of working collaboratively.



## Conclusion

According to this survey, police chiefs and union officials are not that far apart in their perceptions of the roles that labor and management play in the profession. They operate under a written agreement as often as not, meet formally about once a month, and acknowledge the union's status in meetings with city/county managers, with community groups, and in strategic planning meetings with various components of the agency. In their meetings they confer on a number of specific issues, many of which are perceived similarly by both sides; however, they differ in their perceptions of their respective willingness to confer on citizen complaints, scheduling, communication channels, relations with political entities other than the city/county, and the response to racial profiling.

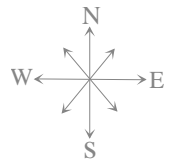
Where community policing was the issue, most chiefs felt that they had involved labor in the strategic and day-to-day implementation of this strategy, but only half as many labor leaders believed that they had been sufficiently consulted. Similarly, the great majority of chiefs believed in near total support for community policing in their agencies, whereas only 35 percent of union presidents agreed that there was a high level of support for community policing in departments they represented. Neither chiefs nor union presidents believed that labor and management working together would result in alienating unions from their membership. A more likely threat to productive collaboration is a sudden precipitating event, which was cited by one-third of chiefs and one-half of presidents. In spite of the potential for acrimony, a majority of executives on both sides describe their relationship with labor or management as cooperative and friendly. The common characterization of labor and management as perpetually hostile and uncommunicative toward each other was not borne out by this study.



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